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Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/08/2009 has been entered.

DETAILED ACTION

Specification

2. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

3. Claims 1-2, 4-9, 11-12, 14-19, and 21-23 are pending in this application.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 4, 6, 11, 14-15 and 21-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Lennon et al (US 2002/0107973).

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Regarding Claims 1 and 14, Lennon discloses an apparatus (FIG.2; comprising user terminal 101 and server side 212, 211, 210) with corresponding method operable to convert digital content metadata comprising:

a mapping module (212) for converting the received external digital content metadata into the digital content metadata peculiar to the network (Para 8 - Para 11; Para 73 lines 1-14; Para 101; converting into XML description metadata); and

a search module (212) for locating a Uniform Resource Locator (URL) using a unique identifier, pre-assigned to each program in the received external digital content metadata (Para 73; Para 89-91; Para 101-110; Para 198; a content item description such as a name attribute or title for a selected program or a visual identifier representing the content in some way that is not XML compliant including Dublin Core, MPEG-7, DIG35 etc; a name attribute or title for a selected program or visual identifier of a URI representing the content is part of the descriptors contained in the metadata and are pre-assigned unique identifiers), said URL accessing a program in the received external digital content metadata, and wherein the search module locates the URL after the received external digital content metadata is converted by the mapping module (Para 73-74; Para 101-123; the media browser then is able to use the located URL, a link in the XML compliant metadata after conversion of the content identifier in the non-XML compliance descriptor to access the program).

Regarding Claims 4 and 15, Lennon discloses a network apparatus (FIG.2, element 212) with corresponding method operable to convert digital content metadata comprising:

a metadata receiving unit for receiving digital content metadata external to the network (Para 9);

a converter for converting the received external digital content metadata into the digital content metadata peculiar to the network by causing the external digital content metadata received in the metadata receiving unit to be mapped into the peculiar digital content metadata in a predetermined manner (Para 8 – Para 14) and by locating a URL using a unique identifier

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assigned to each program in the received external digital content metadata content metadata, wherein said URL accesses a program in the received external digital content metadata, and wherein the URL is located after the received external digital content metadata is mapped into the peculiar digital content metadata (Para 1; Para 71; Para 72 line 8 before last – last line; Para 73 lines 1-14; the media browser then is able to use the located URL, a link in the XML compliant metadata to access the program after conversion of the content identifier in the non-XML compliance document); and

a storage unit for storing the converted digital content metadata therein to allow devices in the network to use the converted digital content metadata (FIG.2, element 210; Para 73; the Legacy Database is converted digital content metadata for legacy metadata usage).

Regarding Claim 6, Lennon further discloses a processing module for analyzing and using metadata which has not been mapped into properties supported by classes of digital content metadata peculiar to an existing network among external digital content metadata mapped into the digital content metadata peculiar to the network (Para 12).

Regarding Claim 11, the limitations have been analyzed and disclosed as in Claim 4 and Claim 6.

Regarding Claim 21, Lennon further discloses the mapping module converts the received external digital content metadata into the digital content metadata peculiar to the network by mapping the external digital content metadata into classes of the digital content metadata (Para 12-14).

Regarding Claim 22, Lennon further discloses the mapping module converts the received external digital content metadata into the digital content metadata peculiar to the network by

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defining a new class of the digital content metadata peculiar to the network, said new class corresponding to the received external digital content metadata (Para 104).

Regarding Claim 23, Lennon further discloses the unique identifier located in the received external digital content metadata binds information of the received external digital content metadata, and wherein the mapping module uses the information bound by the unique identifier for converting received external digital content metadata into digital content metadata peculiar to a network (Para 105-106; a visual identifier or text identifier such as a name attributes binds information of the received external digital content metadata).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2, 7-9, 12 and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lennon et al (US 2002/0107973) in view of applicant's admitted prior art, AAPA (application publication US 2004/0208480).

Regarding Claims 2, 7-9, 12 and 17-19, Lennon discloses the digital content metadata received external to the network can be some known metadata standards including well known MPEG for television program selection and converting into XML compliant description for searching using a unique identifier such as a visual identifier of a URI (Para 89; Para 101-106; Para 198).

Lennon is silent about specific TV-Anytime metadata and Universal Play and Plug (UPnP) and the unique identifier is a Content Reference Identifier (CRID).

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However, AAPA admits that both TV-Anytime and UPnP metadata and related CRID are standards. Furthermore AAPA discloses TV-Anytime also includes popular MPEG format for television program while UPnP uses TCP/IP protocol and can be freely integrated into existing system (Description of related Art of application publication, Para 5-24).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to inherently anticipate the conversion from TV-Anytime type of metadata (MPEG) to UPnP type of metadata (XML compliant) as disclosed by Lennon or obvious to include TV-Anytime and UPnP as the disclosure from Lennon also applied to TV-Anytime and UPnP to take advantage of existing popular standards to accommodate more users.

8. Claims 5 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lennon et al (US 2002/0107973) in view of Sie et al (US 2002/0199188).

Regarding Claims 5 and 16, Lennon fails to disclose a metadata filtering unit for deleting a part or all of the converted digital content metadata stored in the storage unit according to a predetermined condition.

In an analogous art, Sie discloses deletion of metadata when corresponding digital content is deleted (Para 132).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lennon's system to include deletion of metadata when corresponding digital content is deleted, as taught by Sie as a common practice to maintain updated digital content database.

Response to Arguments

9. Applicant's arguments filed 09/08/2009 have been fully considered but they are not persuasive.

In reference to Applicant's arguments:

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Such identifiers in Lennon while, arguendo, are unique, are not pre-assigned to each program in the received external digital content. Applicant respectfully submits that the Examiner conflates the recited feature of a URL and the unique identifier, and thereby ignores the recited relationship: the search module recited in claim 1 locates a URL using the unique identifier pre-assigned to each program.

Applicant submits that Lennon does not teach or disclose "a search module for locating a Uniform Resource Locator (URL) using a unique identifier, pre-assigned to each program, in the received external digital content metadata, said URL accessing a program in the received external digital content metadata", as recited in claim 1.

Examiner's response:

The Examiner respectfully disagrees. Lennon's URI is only one of many ways as a unique identifier to access the non-XML compliance metadata for a selected program. Lennon also discloses using a visual identifier or text identifier such as a name attributes or a title to identify a program in the non-XML compliance metadata (Para 101-123; Para 198; the visual identifier of a URI is pre-assigned as it is already included in the descriptors before search by a browser). The media server then is able to convert the content identifier in the non-XML compliance descriptor to a XML compliance description with a link, such as URL; the media browser then is able to use the located URL, a link in the XML compliant metadata to access the program.

In reference to Applicant's arguments:

Rather than teaching, as the Examiner asserts, the use of all known standards, Applicant submits that Lennon discloses the use of a predetermined number of standards and provides three standards. Additionally, while, arguendo, there exist devices that support both TV-Anytime and UPnP CDS but provide the consumer with irrelevant information (see paragraph 24 of the published application; paragraph 22 of the specification as filed), such devices are not disclosed as recited by the claims.

Examiner's response:

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See Examiner's grounds of rejection above (paragraph 7 of this action) in response to this argument.

Conclusion

10. Claims 1-2, 4-9, 11-12, 14-19, and 21-23 are rejected.

Correspondence Information

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRED PENG whose telephone number is (571)270-1147. The examiner can normally be reached on Monday-Friday 09:30-19:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hirl can be reached on (571) 272-3685. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Fhp

/Joseph P. Hirl/
Supervisory Patent Examiner, Art Unit 2426
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